

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

August 19, 2011

MR. JASON SMATHERS
MUCKROCK
NUMBER 3
185 BEACON STREET
SOMERVILLE, MA 02143

Subject: THREATS AGAINST DAVIS DAM

FOIPA No. 1166100- 000

Dear Mr. Smathers:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552

- ☐ (b)(1)
- ☐ (b)(2)
- ☐ (b)(3) _____
- _____
- _____
- _____
- ☐ (b)(4)
- ☐ (b)(5)
- ☒ (b)(6)

- ☐ (b)(7)(A)
- ☐ (b)(7)(B)
- ☒ (b)(7)(C)
- ☐ (b)(7)(D)
- ☐ (b)(7)(E)
- ☐ (b)(7)(F)
- ☐ (b)(8)
- ☐ (b)(9)

Section 552a

- ☐ (d)(5)
- ☐ (j)(2)
- ☐ (k)(1)
- ☐ (k)(2)
- ☐ (k)(3)
- ☐ (k)(4)
- ☐ (k)(5)
- ☐ (k)(6)
- ☐ (k)(7)

2 **page(s)** were reviewed and 2 **page(s)** are being released.

☐ Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

- ☐ referred to the OGA for review and direct response to you.
- ☐ referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

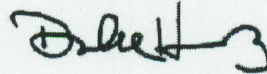
☐ In accordance with standard FBI practice, this response neither confirms nor denies the existence of your subject's name on any watch lists.

☒ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely yours,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

In response to your Freedom of Information Act (FOIA) request, enclosed is a processed copy of FBI Phoenix Field Office file 174C-PX-71010.

It is unnecessary to adjudicate your fee waiver request because there are no assessable fees.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/27/2002

[redacted] was advised as to the identity and purpose of the contacting agent. [redacted] thereafter furnished the following information:

[redacted] received a telephone call at her work earlier in the day from an unknown male. The unknown male asked for a schedule of the tours at Davis Dam. The unknown male was told that there were no tours being conducted at the dam. The unknown male inquired if he would be able to look around the dam and [redacted] told him yes. He wanted to know if he would be able to see the generators and was curious if there was anything else of interest to see at the dam.

The unknown male asked [redacted] if there were brochures available regarding Davis Dam. [redacted] told him that there were brochures available, but the brochures were locked in the office. [redacted] felt the unknown male was a tourist and she told him if he came to the dam and knocked on the office door, she would give him a brochure.

Later in the day [redacted] heard a knock at the door of the dam administrative office. An unknown male, who [redacted] described as in his 60's, approximately 5'8" tall, was at the door. The unknown male told her that he had called earlier in the day about the availability of a brochure regarding the dam. [redacted] gave him a brochure. He thanked her and as he departed he said words to the effect, "what I really wanted, was to find a place to put a bomb." [redacted] said the comment surprised her, although it seemed to be a joke and he grinned as he said it.

[redacted] went outside and observed him look over the rail in the direction of the generators and transformer which are located below the dam. Subsequently she observed him in an older model Nissan Maxima, light metallic blue or silver in color, bearing [redacted] personalized plate, [redacted]. She observed an older female in the passenger seat of the vehicle. The vehicle departed the area and [redacted] reported the incident to her supervisor.

Investigation on 3/25/02 at Lake Havasu City, Arizona (telephonically)

File # 174C-PX-71010

Date dictated 3/27/2002

by SA [redacted]

194C-PC-

Continuation of FD-302 of

[Redacted]

, On 3/25/02

, Page 2

[Redacted]

is described as follows:

Name

[Redacted]

Date of Birth

Home Telephone #

Employer

Davis Dam Field Division
Bullhead City, Arizona

Job Title

Work Telephone #

[Redacted]